

Reporters Without Borders Ask Brazil to Abolish Law from Dictatorship Era

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The France-based Reporters Without Borders have sent the presidential Brazilian candidates who are participating in the elections, this Sunday, October 1st, an open letter asking for a faster declassification of secret official documents.

Open letter to presidential candidates about freedom of information

Ms. Heloísa Helena
Mr. Luis Inácio Lula da Silva
Mr. Geraldo Alckmin
Mr. Cristovam Buarque

Dear Presidential Candidates,

On the eve of the first round of the presidential election tomorrow, Reporters Without Borders, an organization that defends press freedom worldwide, would like to add its voice to the appeal addressed to you by the Forum for the Right of Access to Public Information.

This forum, comprising some 15 associations of journalists, jurists, lawyers, archivists, and human rights activists, asked you on 27 September to undertake to amend the law regulating access to government archives.

Article 23 § 2 of Law No. 8.159 of 8 January 1991 (which was complemented by Law No. 11.111 of 5 May 2005) states that "access to secret documents relating to the security of society and the state shall be restricted for a maximum period of 30 years from the date of their creation, a period that may be extended once for an equal period."

Article 23 § 3 states that "access to secret documents relating to the honor and image of persons shall be restricted for a maximum period of 100 years from the date of their creation."

We believe these periods are much too long and are just a way of concealing information of general interest from the public. These provisions could also be a source of abuse in the absence of precise criteria about the "honor" and "image" of persons.

We therefore hope Brazil's next president will ask congress to debate and then approve provisions to speed up the declassification of government documents. This debate could lead on to another necessary one about the press law of 9 February 1967.

Promulgated under the military dictatorship, it has been described by a senior judge as incompatible with the 1988 constitution and in open contradiction with the Chapultepec Declaration on freedom of information and expression, which President Luis Inácio Lula da Silva signed on 3 May.

I thank you in advance for the attention you give to my request.

Respectfully,

Robert Ménard
Secretary-General
Reporters Without Borders